

**AN ORDINANCE BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE**

**AN ORDINANCE AUTHORIZING SETTLEMENT OF ALL CLAIMS OF  
IRENE PERRY AGAINST THE PRIVATE INDUSTRY COUNCIL,  
REKA EATON, AND THE CITY OF ATLANTA IN THE CASE OF SARA  
THOMAS, ET AL. V. PRIVATE INDUSTRY COUNCIL, ET AL., CIVIL  
ACTION NUMBER 1:98-CV-1863-CC, FILED IN THE UNITED STATES  
DISTRICT COURT; TO CAUSE PAYMENT TO BE MADE IN THE  
AMOUNT OF THIRTY THOUSAND DOLLARS (\$30,000);  
AND FOR OTHER PURPOSES.**

**WHEREAS**, on June 1, 1998, Plaintiffs Sara Thomas, Edward Coachman, Reynold Holborough, and Irene Perry initiated the case of Sara Thomas, et al. v. Private Industry Council of Atlanta, Inc., et al., pursuant to 42 U.S.C. Section 1983, the United States Constitution, and the Constitution of the State of Georgia; and

**WHEREAS**, Plaintiff Perry was employed with the Private Industry Council (PIC), a job training program funded by the Federal Job Training Partnership Act (JPTA) since December 1993; and

**WHEREAS**, Plaintiff Perry had been employed by the City of Atlanta for over 6 years before she was terminated from her unclassified position; and

**WHEREAS**, at the time of her termination, Perry worked as an Assessment Counselor; and

**WHEREAS**, Plaintiff Perry was employed in the City's unclassified civil service, and served at the will of the employer; and

**WHEREAS**, Defendant Reka Eaton, the Director of the PIC, terminated Perry from employment in January 1998; and

**WHEREAS**, Perry alleges violation of her rights under 42 United States Code § 1983, the United States Constitution, and the Constitution of the State of Georgia as a result of her termination, and sought damages and attorneys' fees; and

**WHEREAS**, by Order dated March 29, 2000, United States District Court Judge Clarence Cooper granted summary judgment to Defendants as to Eaton's entitlement to qualified immunity; and

**WHEREAS**, as a result of that Order, the legal issue remaining for trial is whether Plaintiffs can demonstrate to a jury that they were terminated due to their protected speech; and

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**WHEREAS**, Judge Cooper further ordered the parties to mediate the case in an effort to reach a compromise and settlement; and

**WHEREAS**, Plaintiff Perry has agreed to settle all claims in this matter for \$ 30,000., including attorneys' fees; and

**WHEREAS**, Atlanta City Code § 2-783 (h) (1) authorizes payment by resolution up to a maximum of \$2,000. for settlement of a case on behalf of a city employee or officer; and

**WHEREAS**, this settlement is contingent upon approval of the Atlanta City Council and the Mayor; and

**WHEREAS**, by settlement, Defendants admit no liability; and

**WHEREAS**, the offer of settlement acceptable to Plaintiff Perry is, in the opinion of the City Attorney, appropriate to settle all claims against Defendants arising out of the case of Sara Thomas, et al. v. Private Industry Council of Atlanta, Inc., et al.

**NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA** as follows:

1. That the City Attorney be and is hereby authorized to conclude settlement of all claims against the City of Atlanta, Private Industry Council, Inc., and Reka Eaton arising out of the lawsuit filed by Irene Perry in the United States District Court, as set forth in Civil Action Number: 1:98-CV-1863-CC.
2. That the Chief Financial Officer is authorized to pay the total of \$30,000 at the direction of the City Attorney from Fund Account # 1A01 529017 T31001, in the form of a check in the amount of \$30,000, payable to Plaintiff Irene Perry and her Attorneys. Such payment will be in full consideration of the dismissal of all claims against Defendants.
3. That the Atlanta City Code § 2-783 (h) (1) is hereby waived for payment of this settlement to Plaintiff Irene Perry in this case.

**LAW DEPARTMENT  
LEGISLATION TRANSMITTAL FORM**

**TO: CITY COUNCIL / MAYOR**

City Attorney / Deputy Signature: \_\_\_\_\_

Date 10/30/00

Committee of Purview: Public Safety & Legal Administration Committee Deadline: 11/3/00

Committee Meeting Date: 11/14/00

City Council Meeting Date: 11/20/00

**CAPTION:**

AN ORDINANCE AUTHORIZING SETTLEMENT OF ALL CLAIMS OF  
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AND FOR OTHER PURPOSES.

**BACKGROUND/PURPOSE/DISCUSSION:**


Four former unclassified employees of the Private Industry Council filed a lawsuit because of their termination

from their positions, claiming violations of various federal & state laws including the United States  
Constitution.

The defendants in the lawsuit are the Private Industry Council and Reka Eaton, former Executive Director.

**FINANCIAL IMPACT:**

This settlement of one of the plaintiffs is for \$30,000. which includes attorney's fees.

 10/31/00

FOR QUESTIONS, CALL Evelyn Y. Teague, Senior Asst. City Attorney at extension x 6951

Action by Committee: ☐ Approved ☐ Adverse ☐ Held ☐ Amended

☐ Substituted ☐ Referred ☐ Other